Reg. No. KL/TV(N)/12

# KERALA GAZETTE

## SUPPLEMENTS

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 12th January 1982 / 22nd Pousha 1903 (Saka) [No. 2

## PART 1

CONTENTS

PAGE

**Section ii**



**Section iii**



**Section iv**

Kerala Gazette No. 2 dated 12th January 1982.

**PART I**

# GOVERNMENT OF KERALA

## Abstract

HIGHER EDUCATION—EDUCATIONAL CONCESSIONS TO THE CHILDREN OF POLITICAL SUFFERERS—ENHANCEMENT OF INCOME LIMIT—ORDERS ISSUED

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HIGHER EDUCATION (C) DEPARTMENT

G. O. (Ms) No. 209/81/H. Edn. *Dated, Trivandrum.* 11*th December* 1981.

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*Read*:—1. G.O. (Ms) No. 88/66/Edn. dated 24-2-1966.

2. Letter No. C4/2217/77 dated 18-1-1977 from the Director of Technical Education, Trivandrum.

ORDER

In the G. O. read as first paper above as subsequently amended Government have approved a revised scheme for the grant of Educational concessions to the children of political sufferers. As per this scheme children of political sufferers whose annual family income is below Rs. 3,600 are exempt from payment of tuition fees for their studies.

Government are now pleased to order that the income limit of Rs. 3,600 p. a. will be enhanced to Rs. 6,000 per annum. The enhanced income limit will come into force from the academic year 1982-83.

By order of the Governor,

C. J. JOSEPH,

*Deputy Secretary.*

To

The Director of Collegiate Education, Trivandrum
The Director of Technical Education, Trivandrum.
All District Collectors
The General Administration (FFF) Department
The Registrar, University of Kerala/Calicut/Cochin.
The Accountant General, Kerala, Trivandrum.
The Principals, Law College, Trivandrum/Ernakulam/Calicut.
The Director of Public Relation, Trivandrum.
The Finance Department, (Orders taken in circulation to the Governor),
The Principals, Medical College, Trivandrum, Alleppey, Kottayam, Calicut.
The Health Department.
The Registrar of Co-operative Societies.

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G. 2041.

GOVERNMENT OF KERALA

**Labour (A) Department**

NOTIFICATION

G. O. (Rt.) No. 1466/81/LBR. *Dated, Trivandrum, 26th November 1981.*

The award of the Industrial Tribunal, Alleppey in respect of the dispute between the General Manager, Travancore Rayons Ltd., Rayonpuram, Perumbavoor and their workmen represented by (1) The General Secretary, Travancore Rayons Employees' Union, Rayonpuram, Perumbavoor (2) The General Secretary, Travancore Rayons Labour Union, Rayonpuram, Perumbavoor (3) The General Secretary, Travancore Rayons Staff & Workers Union, Rayonpuram, Perumbavoor (4) The General Secretary, Travancore Rayons Employees' Federation, Rayonpuram, Perumbavoor (5) The General Secretary Travancore Rayons Thozhilali Sanghom, Rayonpuram, Perumbavoor (6) The General Secretary, Travancore Rayons Employees' Welfare Union, Rayonpuram, Perumbavoor (7) The General Secretary, Travancore Rayons Technical Staff Association, Rayonpuram, Perumbavoor (8) The General Secretary, Travancore, Rayons Employees' Craftsmen Association, Rayonpuram, Perumbavoor (9) The General Secretary, Travancore Rayons Administrative Staff Association, Rayonpuram, Perumbavoor (10) The General Secretary, Travancore Rayons Boiler Attendants Association, Rayonpuram, Perumbavoor (11) The General Secretary, Travancore Rayons Staff Association, Rayonpuram, Perumbavoor received by Government on 24-11-1981 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act, XIV of 1947).

By order of the Governor,
P. GOMATHY AMMA,
*Deputy Secretary.*

**In the Court of the Industrial Tribunal, Alleppey**

Dated this the 4th day of November, 1981

*Present* :

SHRI K. KANAKACHANDRAN, B.SC., LL. B.,
*Industrial Tribunal*

INDUSTRIAL DISPUTE No. 12/77

*Between*

The General Manager, Travancore Rayons Ltd., Rayonpuram, Perumbavoor

*And*

(1) The General Secretary, Travancore Rayons Employees' Union, Rayonpuram, Perumbavoor.

(2) The General Secretary, Travancore Rayons Labour Union, Rayonpuram, Perumbavoor.

(3) The General Secretary, Travancore Rayons Staff & Workers Union Rayonpuram, Perumbavoor.

(4) The General Secretary, Travancore Rayons Employees' Federation, Rayonpuram, Perumbavoor.

(5) The General Secretary, Travancore Rayons Thozhilali Sanghom, Rayonpuram, Perumbavoor.

(6) The General Secretary, Travancore Rayons Employees' Welfare Union, Rayonpuram, Perumbavoor.

(7) The General Secretary, Travancore Rayons Technical Staff Association, Rayonpuram, Perumbavoor.

(8) The General Secretary, Travancore Rayons Employees' Craftsmen Association, Rayonpuram, Perumbavoor.

(9) The General Secretary, Travancore, Rayons Administrative Staff Association. Rayonpuram, Perumbavoor.

(10) The General Secretary, Travancore Rayons Boiler Attendants Association, Rayonpuram, Perumbavoor.

(11) The General Secretary, Travancore Rayons Staff Association, Rayonpuram, Perumbavoor.

*Representations:—*

M/s Menon & Pai,
Advocates, Ernakulam .. For *Management*

Shri M. Ramachandran
Advocate, Cochin-17 .... For *Unions*

AWARD

The Bonus for the year 1974 is the issue referred to this Tribunal for adjudication by the Government through their Reference Order G. O. Rt. 545/77 LBR Labour A Department dated 4-5-1977. In response to the notice for appearance, all the Unions except Union No.6 and 8 viz., the General Secretary, Travancore Rayons Employees Welfare Union, Rayonpuram, Perumbavoor and the General Secretary, Travancore Rayons Employees Craftsmen Association, Rayonpuram, Perumbavoor entered appearance. Union Nos. 1, 2, 3, 7 and 11 filed claim statement jointly. The Union Nos. 5 and 9, and the Union No. 10 also filed separate claim statements. Union Nos. 6 and 8 remained throughout as ex parte. The claim statements filed by contesting unions were more or less on identical terms. The contentions raised in the claim statements in short are as follows:—

The Travancore Rayons Ltd., was making substantial profit for the last so many years and service conditions of employees including payment of bonus were being evolved by agreement between the Management and the workmen. In the matter of bonus particularly, settlements were being effected on ad hoc basis, without reference to the Full Bench formula when

that was in force and to the provision of Payment of Bonus Act, after the Act was brought into force. Accordingly, for the years 1971 to 1973 Bonus was paid under the agreements at the rates of 21%, 20% and 13% respectively. The net profit earned by the Company was Rs. 93,36,341 during the year 1974. This figure was more than 300% profits of 1973, more than 200% of the profit of 1972 and about 50% more than the profit of 1971. The Unions allege that despite this, the Management took up the position that only 4% minimum bonus was payable for 1974. They further allege that the above stand was taken by the Management obviously on account of the amendment made to the Payment of Bonus Act (Amendment Act 23 of 1976). However by a settlement effected on 19-8-1975 between Unions and Management, it was agreed to pay 8 1/3% of the earning as advance towards bonus for the year 1974 and that too subject to the finalisation of the dispute later and as per the provisions contained in the Payment of Bonus Act. The case of the union is that even as per the work sheets furnished by the Management, there was allocable surplus of Rs. 11,90,361 for the year 1974 which would be enough to pay approximately 15% bonus to the Employees. It is the further case of the union that bonus was paid during the years 1971, 1972 and 1973 under adhoc agreements without reference to statutory computations and the relevant formula laid down in the Act and therefore no set off for the previous years above said can be allowed. In view of this the unions contend that the plea for bring set off about 23 lakhs of rupees is only to be rejected. The union disputed the correctness of computations made by the Management in the matter of deduction towards proportionate income-tax on bonus for 1973, repairs and maintenance for the year 1974, depreciation for income-tax purpose, development rebate and gratuity liability. The union have a case that if computation is made in accordance with the law, the bonus at the rate of 20% can be given to the employees for the year 1974.

The claims of the unions were strongly opposed by the Management in their counter statement. According to the Management, the bonus for the years 1971 to 1973 was given after having settlement with the unions and in fact during those years there was no allocable surplus for giving even the minimum bonus to the Employees. According to the Management, what was paid to the employee was Bonus plus ex-gratia. They further contend that even though the years 1971, 72 and 73 were deficit years for the purpose of bonus, the minimum bonus was payable under Sec. 10 (2) of the Payment of Bonus Act as it existed then. The Management further says that the intention behind the agreement was that apart from the Payment of Bonus under Sec. 10 of the Act, an ex-gratia amount should also be given. They argue that, while going through the computation statements (Ext. M6, M8 and M10) it can be easily seen that there is no allocable surplus and in fact there was deficit and therefore the employees were entitled only for the minimum bonus as per the provisions contained in Sec. 10 of the Act in all those years. They further contend that according to Sec. 15 (2) of the Act where for any accounting year

there is no allocable surplus or the allocable surplus in respect of the year falls short of the amount of bonus payable to the employees in the establishment, that deficit can be carried forward for the purpose of being set off. The Management further submits that the entire amounts paid as Bonus and ex-gratia were not claimed by the Management for being set off but only the amount they paid to the workmen as minimum bonus under the Payment of Bonus Act. They further submit that the set off claimed by the Management, as is seen from the bonus working sheets, is therefore correct and is in accordance with law.

A rejoinder statement was filed on behalf of union Nos. 2, 3, 7 and 11. In the rejoinder statement, they have disputed the claim of the Management that since the settlements arrived at in the earlier years were on the basis of Payment of Wages Act, they are entitled to claim the benefit of set off while computation is made in accordance with the provisions contained in the Payment of Bonus Act. The unions submit that the earlier settlement were binding on the Management since those were all settlements towards bonus. The issue is not at all covered under the provisions of Payment of Wages Act, according to the unions.

Although the union have disputed the correctness of work sheets furnished by the Management relating to the computation of gross profit for the accounting years ending on 31-12-1971, 1-12-1972, 31-12-1973, and 31-12-1974, no attempt was made on the part of the unions to furnish any kind of evidence to disprove the correctness of the work sheets. However at the time of argument, the Management produced an additional work sheet which contain certain figures for the computation of bonus for the year 1974. According to that work sheet produced before me on behalf of the Management, the employees will be entitled only for 10.39% of the bonus for the year 1974 if no provision is made for the set off in respect of previous years 1971, 1972 and 1973. This work sheet produced before me on 4-11-1981 by the Management shows the allocable surplus as Rs. 11,90,361 which was computed under the Bonus Act without making any provisions for carrying forward the deficit for the years 1971, 1972 and 1973. According to the above work sheet, the total Wage Bill in the Travancore Rayons for the year 1974 was Rs. 1,14,55, 668. This figures are not disputed by counsel appearing on behalf of the contesting unions According to the counsel for the contesting unions Sri M. Ramachandran, the unions do not have a higher claim on bonus other than 10.39% as now arrived at by the Management without making any provisions for set off for the previous years.

Now the issues are narrowed down to a limited point. The only question to be considered is whether the Management is entitled to claim any sort of set off for the deficit they suffered in the previous years viz., 1971 to 1973 while computation is made for the determination of the Bonus for the year 1974 in accordance with the provisions contained in the

Payment of Bonus Act. It is evident from Ext. M5, M7 and M9 that the Bonus issues for the years 1971 to 1973 were settled by mutual agreements. The Management has got the case that although there were agreements in the previous years, those agreements were only for the payment of minimum Bonus and the rest of the amount given was only as ex-gratia. According to the Management, the deficit itself was on account of payment of minimum Bonus. It is immeterial for the determination of this case whether the Bonus given after the settlements were for minimum or for a higher percentage or for the maximum. Even if it is said that only minimum Bonus was required to be given and that too was in accordance with Sec. 10(2) of the Payment of Bonus of Act. that will not in any way wipe out the agreements from the picture. The agreements Ext. M5, M7 and M9 do not show that settlement were only in respect of the quantum of ex-gratia and the Bonus was determined as minimum and that too in accordance with the Payment of Bonus Act. After having determined the quantum of Bonus through settlements, the Management cannot say that the Minimum Bonus was given in accordance with provisions contained in Payment of Bonus Act. The Management is estopped from raising such contentions. Once Bonus is given in terms of settlements, no claim for set on or set off can be allowed while computation is made for determination of Bonus in the succeeding year. This is now a well accepted position after the pronouncement of the Supreme Court in Workmen vs. National Grindleys Bank Ltd., (1976-I.LLJ. 463). The identical matter now in issue was one of the issues in the above case. After taking advantage of the terms of settlements regarding Bonus, the workman claimed in that case that the amount which would be available for 'set on' and carry forward should be taken into account for the determination of Bonus for the succeeding year. Negativing the contention of the workmen in that case the Supreme Court said:-

"It is clear from the scheme of the Act and the context in which this sub-section occurs, following closely upon Ss. 4 to 10, that the basic condition for the applicability of this sub-section is that bonus is computed in accordance with the statutory formula provided in the preceding sections of the Act and as a result of such computation, it is found that the allocable surplus is more than sufficient to cover the maximum bonus payable under the Act and where such is the case, the sub-section provides that the excess over the amount of the maximum bonus shall, to the extent of 20% of the total wages or salary, be carried forward and set on in the succeeding year. This sub-section can have no application where no computation is made under the Act and bonus is paid, not in accordance with the statutory formula, but on an ad hoc basis. Then it is not possible to say what was really the bonus payable under the Act. It may be less or more than the bonus in fact paid. That inquiry being rendered irrelevant by the ad hoc settlement, there can be no question of carry forward and set on of any amount, unless specifically agreed upon as part of the settlement. The workmen in the present case were, therefore, not entitled to contend that, though the claim for bonus for the accounting year 1964 was settled on an ad hoc basis without making computation under the provisions of the Act,

such computation must now be made, not for the purpose of determining the bonus payable to them which is the only purpose for which such computation is contemplated to be made, but for the purpose of determining whether there is any amount liable to be carried forward and set on. The claim of the workmen for carry forward and set on in respect of the accounting year 1964 must accordingly stand rejected".

In the present case, the Management has carried forward a sum of Rs. 23,78,820 for being set off while computation is made for the determination of the Bonus for the year 1974. This amount is the accumulated deficit of the years 1971, 1972 and 1973 which could have been carried forward in the ordinary course if there were no settlements regarding Bonus in those years. While applying the principles laid down by the Supreme Court in 1976 I LLJ 463, the Management's plea for set off is only to be disallowed. The above said amount cannot be carried forward for the purpose of being set off.

The figure now available in relation to the allocable surplus for the year 1974 is Rs.11,90,361. The total wage Bill in Travancore Rayons Ltd., for the year 1974 is Rs.1,14,55,668. These figures are not disputed by the contesting unions. Thus the allocable surplus is sufficient for giving 10.39% of the wages as Bonus for the year 1974.

Ext. M11 shows that there was an agreement to pay the employees Bonus at 8⅓% on ad hoc basis. It is the admitted case that the employees had already received the Bonus at the above rate.

On the forgoing reasons I hold that the employees of the Travancore Rayons Ltd., Rayonpuram are entitled to get 10. 39% of their wages as Bonus for the year 1974. The Management will pay the balance of the Bonus amount (after deducting 8⅓% already given) to the employees in terms of this award.

This award will come into force after expiry of one month from the date of publication of this award in the official gazette.

K. KANAKACHANDRAN,
*Industrial Tribunal,*
*Alleppey.*

**Appendix**

*Witness examined from the side of Management:*

MW1. Mr. S. Ramachandran, Chief Accounts Officer of M/s. Travancore Rayons Ltd.

*Documents maked from the side of Management:*

M1. Annual report of the management for the year 1971.
M2. do. for the year 1972.
M3. do. for the year 1973.
M4. do. for the year 1974.

M5. Memorandum of settlement dated 27-8-1972.

M6. Statement of computation of Gross Profit Accounting year ended 31-12-1971.

M7. Memorandum of settlement.

M8. Statement of computation of Gross Profit Accounting year ending 31-12-1972.

M9. Memorandum of settlement dated 8-7-1975.

M10. Statement of computation of Gross Profit Accounting year ended 31-12-1973

M11. Memorandum of settlement dated 19-8-1975.

M12. Statement of accounts for the year ended 31st December 1974.

*Witness examined from the Union's side:*

Nil

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GOVERNMENT OF KERALA

**Labour (A) Department**

NOTIFICATION

G. O. (Rt.) No. 1474/81/LBR. *Dated, Trivandrum, 30th November* 1981.

The award of the Labour Court, Ernakulam in respect of the dispute between Smt. Chinnamma Gowri Amma, Contractor, Toddy Shop No. 11, Thekkumgopuram, Kottayam and the workmen of the above establishment represented by the General Secretary, Kottayam Taluk Shop & Establishment Employees Union, AITUC, Palace Road, Kottayam received by Government on 26-11-1981 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. Gomathy Amma,
*Deputy Secretary.*

**In the Labour Court, Ernakulam**

Dated this the 21st day of November, 1981

*Present*

Shri N. SUKUMARAN, B.Sc., B.L.,

*Presiding Officer*

*In*

INDUSTRIAL DISPUTE No. 230 of 1979
(Old No. I. D. 46 of 1978)

*Between*

Smt. Chinnamma Gowri Amma, Contractor, Toddy Shop No. 11 Thekkumgopuram, Kottayam

*And*

The workmen of the above establishment represented by the General Secretary, Kottayam Taluk Shop & establishment Employees Union, AITUC, Palace Road, Kottayam.

***Representations :—***

Shri Joseph Mackil,
Advocate, Kottayam. For *Management*

Shri P. K. Chithra Bhanu,
Advocate, Kottayam. For *Union*

## AWARD

The issue referred for adjudication by Government as per G. O. (Rt) No. 674/78/L&H dated 22-4-1978 is "Dismissal of workman M. I. Kuttappan from service with effect from 16-2-1977". The reference in the first place was to the Labour Court, Quilon. There the case was taken on the file as I. D. 46 of 1978. Later it was transferred to this Court when this Court was newly constituted. It was re-filed in the present number and proceeded.

2. The workman admittedly was serving under the employer in the toddy shop owned by her as a boatman. Disciplinary proceedings were initiated against him alleging that he had passed the age of 60, the normal date for retirement, and that he is not healthy enough to continue the arduous work of a boatman. He explained that he is only 57 years in age and that he is capable of discharging the duties. This explanation did not find favour with the Management and therefore a domestic enquiry was ordered. The workman participated in the enquiry conducted by an Advocate appointed for that purpose. His finding was to the following effect:-

"In short I am to hold that the counter petitioner is 64 years in age and so he is liable to be relieved from service."

The Management purporting to act on this finding gave the workman a punishment of dismissal. The correctness of that dismissal is being challenged by the Union.

3. The Union claims in its claim statement and rejoinder that the workman had only attained the age of 57 when the disciplinary proceedings were initiated in 1976 and that he is entitled to retirement benefits and arrears in wages as though he had retired only in 1979. The correctness and the validity of the domestic enquiry are also challenged. The Management in its written statement justifies the action as one legally sustainable.

4. The Management wanted to establish that there was a valid and proper domestic enquiry. But the learned counsel appearing on behalf of the Union submitted before me that the entire procedure adopted by the Management is illconceived and even if it is assumed that there was a proper domestic enquiry the dismissal cannot be sustained at any rate. There is great force in this submission. Though the Management had raised an allegation that the workman on account of old age is unable to discharge his duties satisfactorily it was not accepted as such by the Enquiry Officer. The Enquiry Officer only found that the workman had attained the age of 64 and that he is therefore liable to be relieved from duties. No misconduct was found against the workman. There is no case that the workman gave any false declaration regarding his age or that he attempted to correct his age in order to cling on in service. Even if it is assumed that he had passed the age of superannuation it cannot be treated as a basis for disciplinary action and dismissal. If that is

possible it is a novel idea whereby any employee who reaches or passes the age of superannuation can be dismissed without payment of retirement benefits. The procedure adopted by the Management is therefore clearly unsustainable.

5. It was agreed before me by both sides that the workman involved has since passed the normal age of superannuation at any rate and therefore there is no question of his reinstatement. It was further agreed that the length of service of the workman on the available evidence may be fixed and retirement benefits and other benefits, if any, awarded.

6. Before the Enquiry Officer the Management had produced the voters list relating to the workman wherein his age was shown above 60. The workman produced an extract from the Admission Register of a School wherein the date of birth of a pupil by name Kuttappan was shown as 1095 M. E. He claimed that the certificate related to him. That was rejected by the Enquiry Officer for the reason that the house address is not shown and the initials also do not tally. The name of the pupil therein is shown as M. I. Kuttappan, son of Ittiyathi. It is claimed by the Management that the real name of the workman is V. E. Kuttappan. The document marked as Ext. A4 at the enquiry admittedly is the explanation submitted by the workman in answer to the charge. There he is describing himself as V. E. Kuttappan. Much reliance is placed on that document to say that the admission register marked as Ext. D1 at the enquiry does not relate to this workman, but to a different person M. I. Kuttappan. Ext. D2 at the enquiry is a certificate issued by the Tahsildar to say that both the initials relate to the same person. But it is unnecessary for me now to rely much on the names contained in the certificates and the reply statement as the reference relates to a worker by name M. I. Kuttappan and claim statement was also filed in that name. There is no contention in the written statement that the initial is not correct. On the other hand para 6 of the written statement is to the following effect:—

> "So it is respectfully prayed that this Honourable Court be pleased to find that the dismissal of the workman M. I. Kuttappan is just and lawful."

This shows that the initials are correct as claimed by the workman and shown in the certificate Ext. D1 at the enquiry produced by him. So the workman was due to retire on superannuation only in 1979 (1155 M. E.)

7. The workman was compelled to vacate the post held by him three years before the real date of retirement. But in the circumstances of this case, retirement benefits and some compensation for the loss of earnings for the three years will meet the ends of justice. The workman would have completed ten years service had he continued in service. (There is no dispute on that aspect). It is said that he would have been drawing Rs. 235 per month on the due date of retirement. He is entitled to

gratuity at that rate for five months. It works out to (235x5 ) Rs. 1,175. Three thousand rupees will be adequate compensation for premature termination. So the total compensation payable is Rs. 4,175. The workman is not entitled to any further reliefs.

8. In the result an award is passed directing the employer to pay compensation to the tune of Rs. 4,175 (Rupees four thousand, one hundred and seventy five only) to the workman. This will carry interest at the rate of twelve per cent per annum from the date on which the awards becomes enforceable.

9. This award shall come into force on the expiry of thirty days from the date of its publication in the Government Gazette.

Ernakulam,
21-11-1981.

N. SUKUMARAN,
*Presiding Officer.*

## GOVERNMENT OF KERALA

**Labour (A) Department**

NOTIFICATION

G. O. (Rt.) No. 1432/81/LBR. *Dated, Trivandrum, 18th November 1981*

The award of the Labour Court, Ernakulam in respect of the dispute between the Manager, M/s Harrisons & Crossfield Limited, Engineering Department, Shanmukham Road, Ernakulam and the workman of the above concern Shri L. Sudarsanan, Kadappayil Kizhakkathil, Thekkecheriyil P. O., Kanjaveli, Quilon received by Government on 13-11-1981 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. Gomathy Amma,
*Deputy Secretary.*

**In the Labour Court, Ernakulam**

Dated this the 7th day of November, 1981

*Present*

Shri N. SUKUMARAN, B. Sc., B.L.,
*Presiding Officer*

*In*

INDUSTRIAL DISPUTE No. 51 of 1980

*Between*

The Manager M/s Harrisons & Crossfield Limited, Engineering Department, Shanmukham Road, Ernakulam

*And*

The workman of the above concern Shri L. Sudarsanan, Kadappayil Kizhakkathil, Thekkecheriyil P. O, Kanjaveli, Quilon.

*Representations* :

Shri J. B. Koshy, Advocate,
M/s. Menon & Pai,
Advocates, Ernakulam. For *Management*

Shri O. O. Mathew,
Advocate, Ernakulam For *Workman*

G. A. 277/V.

AWARD

The issue referred for adjudication by Government as per G.O.(Rt.) No. 678/80/LBR dated 19-5-1980 is the following:—

"Retrenchment compensation and gratuity payable to Sri L. Sudarsanan."

2. There is no Union espousing the cause of the workman. In the charter of demands submitted by the workman, copy of which is appended to the reference, it is alleged that the workman was appointed as an Electrician on a temporary basis by the Management in 1971, that the employment continued uninterruptedly till 24-8-1978 at the various work sites of the Management and that on 24-8-1978 his services were terminated without payment of any benefits. Retrenchment compensation, gratuity, overtime wages and holiday wages together amounting to Rs. 13,740 is claimed.

3. The Management in the written statement denies the allegation that the workman was employed by it. There was no employer-employee relationship on the basis of which benefits could be claimed. There was also no occasion or necessity for terminating the services as he was never appointed as an employee. So Shri Sudarsanan is not entitled to any reliefs. Even otherwise the reference is not maintainable as there is no Union espousing the cause of the workman and the issue referred does not relate to termination but only compensation and gratuity.

4. The evidence in the case consists of the testimony of WW1, and MW1 and Exts. W1 to W5 and M1. WW1 is the workman concerned and MW1 is an Accountant in the Engineering Department of the Management Company.

5. I shall first dispose of the objection regarding the maintainability of the reference. The argument is that Section 2-A of the Industrial Disputes Act cannot be attracted as the issue referred does not involve a discharge, dismissal, retrenchment or termination. It is true that compensation and gratuity alone are the matters involved in the reference. But Sec. 2-A is not limited to dismissals, retrenchments or terminations alone. The wording employed is plain enough to include other disputes arising out of or connected with such matters. Compensation is a matter arising out of termination of services and that way is an industrial dispute as per Sec. 2-A of the Industrial Disputes Act. That the position is so is held by the Orissa High Court in Joseph Niranjan Kumar Pradhan, v. Presiding Officer, Industrial Tribunal, Orissa and others (1977 I LLJ 36).

6. The main controversy is as to whether Shri Sudarsanan was an employee of the Management Company. There is only the general averment in the counter statement of the Management that Shri Sudarsanan was not employed by it. But at the stage of evidence it is admitted by MW1 that Shri Sudarsanan was employed as a casual worker in connection with contract works undertaken by the Management at various sites. What is claimed by MWI is that he was so engaged not by the Company but by the Supervisors on the spot and that therefore there is no sort of employer-employee relationship between the Management and

Shri Sudarsanan. It is true that there is no appointment order issued by the Management Company. But if the services of Shri Sudarsanan were utilised for the Company on the basis of engagements arranged by one of its Officers then it cannot simply be said that Shri Sudarsanan did not work for the Management. His services were utilised for the benefit of the Company and the opportunity for rendering the services were provided by one of its employees. Every appointment need not necessarily be in writing and the real question is as to whether there was an actual employment by or on behalf of the Company. So it has to be held that Shri Sudarsanan was engaged as an employee of the Management Company.

7. It is admitted that Shri Sudarsanan's services were terminated in 1978. It is further admitted that he was first employed in 1971. There is a controversy as to whether he was continuously serving or not. The argument advanced by the Management is that Shri Sudarsanan had never been employed for 240 days or more in any year during the interval. The workman had called upon the Management to produce the muster sheets alleged to have been maintained on the work-spot during the interval in question. The Management filed a reply affidavit in which it was said that no muster sheets were maintained at the workspots and that acquittance sheets were alone kept and that even those documents for 1971 to 1974 are not now available. They have produced the acquittance sheets which according to them covers the period 1974 to 1979. It is produced as a bound volume and the same is Ext.M1. Ext. M1 is relied on by the Management to show that Shri Sudarsanan was not continuously employed and that he had not worked for 240 days or more in any year. It is in evidence that Shri Sudarsanan was working at Hathidah in Bihar from 1974 onwards. Ext.M1 relates to the work at Hathidah. That was a work undertaken by this Management on behalf of McDowel and Company. Exts.W1 to W4 are relied on by the workman to show that he was working for this Management at Hathidah. They need not be considered in detail in view of the admission that he was engaged as a casual worker.

8. Ext. M1 does not contain the acquittance sheets for the entire period. They are weekly statements. But sheets for several weeks are absent. In the sheets that are produced Shri Sudarsanan is seen to have worked continuously for all the six days or sometimes even on Sundays. There is no explanation as to why sheets for some weeks are absent. We have to remember the circumstance that Shri Sudarsanan, a native of Kerala, was available in Bihar at the work site of the Management. He was working continuously for all days during the period covered by the sheets produced. He would naturally have attended the work during the rest of the period also. It is not known as to why the Management had not produced the sheets for the broken intervals and established that workmen other than Shri Sudarsanan alone had worked during that period. It is not the Management's case that there was no work at all during the weeks for which sheets are not produced. So no reliance can be placed on Ext.M1 to say that there was no continuous work for Sudarsanan. No witness having direct knowledge is also examined to say that Shri

Sudarsanan was absenting himself for several weeks and at intervals. On the other hand Shri Sudarsanan as WW1 has given clear and convincing evidence that he was continuously working. The probability is also in support of his version. So I have no hesitation to hold that Shri Sudarsanan was continuously employed for more than 240 days during the interval in question.

9. Shri Sudarsanan's services were terminated without giving him the benefits. He is not challenging the validity of the termination. He is also not claiming reinstatement. He is entitled to the benefits of retrenchment compensation and gratuity. The issue referred does not involve overtime wages and holiday wages. So it is unnecessary to consider those aspects covered by the charter of demands. Retrenchment compensation and gratuity will have to be paid to Shri Sudarsanan by the Management.

10. It can be seen from Ext.M1 that Shri Sudarsanan was paid at the rate of Rs. 18 per day in 1977. The period of service extends to 8 years for the purpose of retrenchment compensation. and gratuity. Gratuity works out to (15 x 18 x 8) Rs. 2,160. An equal amount is to be paid as retrenchment compensation. The total payable is Rs. 4,320.

11. In the result an award is passed directing the Management to pay Shri Sudarsanan a sum of Rs. 4,320. (Rupees four thousand, three hundred and twenty only) as gratuity and retrenchment compensation. This will carry interest at the rate of twelve per cent from the date on which the award becomes enforceable.

(Camp): Munnar,
7-11-1981.

N. SUKUMARAN,
*Presiding Officer.*

**Appendix**

*Witness examined on the Management's side:*

MW1 Shri K. K. Asok Kumar

*Witness examined on the Workman's side:*

WW1 Shri Sudarsanan.

*Exhibits marked on the Management's side :*

Ext.M1. A book containing weekly statements.
,, M2. A statement (Vr. No. 1) for the week ending 1-3-1975 (in Ext.M1 book)

*Exhibits marked on the Workman's side:*

Ext.W1. Savings Bank Account book of Shri Sudarsanan with the Bank of Baroda at Hathidah.
,, W2. A certificate dated 28-1-1977 issued to Shri Sudarsanan from M/s. Harrisons & Crossfield Limited.
,, W3. Electrician licence of Shri Sudarsanan.
,, W4. An application dated 16-8-1977 from Shri Sudarsanan to M/s. Harrisons & Crossfield Limited for permanent appointment.
,, W5. A letter dated 16-8-1978 from Shri Sudarsanan to the Management.
,, W5(a) A postal receipt.

# GOVERNMENT OF KERALA

## Labour (A) Department

## NOTIFICATION

G. O. (Rt.) No. 1472/81/LBR. *Dated, Trivandrum, 30th November 1981.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Managing Director, Eddy Current Controls (India) Ltd., Eddypuram, Chalakudy and the workman of the above concern Shri K.T. Vareed, S/o K.P. Thomas, Karasingal House, Near R.C.Church, Pariyaram. P.O. (via) Chalakudy received by Government on 26-11-1981 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. GOMATHY AMMA,
*Deputy Secretary.*

**In the Labour Court, Ernakulam**

Dated this the 23rd day of November, 1981

*Present:*

SHRI N. SUKUMARAN, B.SC., B.L.,
*Presiding Officer*

*In*

INDUSTRIAL DISPUTE No. 67 OF 1981

*Between*

The Managing Director, Eddy Current Controls (India) Ltd., Eddypuram, Chalakudy

*And*

The workman of the above concern Shri K.T. Vareed, S/o. K.P. Thomas, Karasingal House, Near R.C Church, Pariyaram P.O., (via) Chalakudy.

*Representation:*

M/s. Joseph & Kuriyan,
Advocates, Cochin-18. For *Management*

AWARD

Discharge of a worker is the issue referred for adjudication by Government as per G.O. (Rt.) No. 826/81/LBR dated 4-7-1981.

II. The circumstances under which the punishment was effected and the defence of the workman are all narrated in my order dated 18-11-1981 wherein I had found that the discharge was effected after a proper and valid domestic enquiry. It is unnecessary to repeat the facts and a reproduction of the order will be sufficient. That order reads as follows:-

"Discharge of a worker by name K. T. Vareed is the issue referred for adjudication by Government. The discharge was ordered after a domestic enquiry into certain misconducts attributed to the worker. In the charter of demands appended to the reference it is stated by the workman that the discharge was effected without any valid reasons. Reinstatement is what is claimed.

2. The Management in its written statement contends that there was a domestic enquiry into the charges and that it was found therein that the workman was guilty of the charge. The workman participated at the enquiry and he was given all opportunities to defend himself. So he is not entitled to the relief claimed.

3. No detailed claim statement was submitted by the workman before me. The workman himself was appearing before the Court. I intimated him that he can have the free services of the advocate appointed by the Government to defend workman who are not in a position to engage advocates of their own choice. But he opted to defend himself. He did not file any detailed claim statement or rejoinder before this court. All that is done in the statement filed by him is that he is serious in prosecuting his claim. However I directed the Management to establish that there was a proper domestic enquiry as claimed by them. So the Management examined its officer who conducted the domestic enquiry as MW1. He had proved Ext. M1 as the file containing the enquiry papers.

4. The charge attributed to the workman is that he while acting as an Electrician of the Company wrongly wired an electronic regulator on 5-4-1976 resulting in the destruction of the regulator causing substantial monetary loss. This charge is seen to have been well established at the domestic enquiry in which the workman admittedly participated throughout. Two witnesses were examined on behalf of the management at the domestic enquiry. They have given clear and convincing evidence that the workman was responsible for the misconduct. Nothing was brought out in the cross-examination of these witnesses from which it can be said that the charge is baseless. In these state of affairs it cannot be said that the enquiry was in any way violating of the principles of natural justice. The findings are also reasonable conclusions on the available evidence. So I hold that there was a proper and valid domestic enquiry and that the findings rendered are correct."

III. I have found that the findings of the Enquiry Officer are correct and that they were rendered in a proper and valid domestic enquiry. All that remains for consideration is as to whether the workman is entitled to any reliefs in the matter of punishment. Here it is seen that the workman was responsible for the charges which are not silly. The maximum penalty of dismissal was not awarded. Only discharge was ordered. That punishment in the circumstances of the case is not excessive. So I find that the workman is not entitled to any reliefs in the matter of punishment.

IV. In the result an award is passed confirming the dismissal of Shri K.T. Vareed.

Ernakulam,
23-11-1981.

N. SUKUMARAN,
*Presiding Officer.*

**Appendix**

*Witness examined on the Management's side:*

MW1 Shri George.

*Exhibits marked on the Management's side:*

Ext. M1. The file containing the original papers relating to the domestic enquiry.

Ext. M1(a). Findings of the Enquiry Officer. (in Ext. M1 file).

# GOVERNMENT OF KERALA

## Labour (A) Department

### NOTIFICATION

G. O. (Rt.) No. 1504/81/LBR. *Dated, Trivandrum, 7th* December *1981.*

The award of the Labour Court, Kozhikode in respect of the dispute between the Manager, Thiruvepathy Mills, Cannanore and their workman represented by the Secretary, Thiruvepathy Mills Labour Union(INTUC), Town Mandalam Congress Office, Station Road, Cannanore, received by Government on 3-12-1981 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. COMATHY AMMA,
*Deputy Secretary.*

**In the Labour Court, Kozhikode, Kerala State**

Dated this the 23rd day of November 1981

*Present:*

SHRI T M. VISHNU NAMBISSAN, B.A., B.L.,
*Presiding Officer*

I. D No. 25/81

***Between*:**

The Manager, Thiruvepathy Mills, Cannanore, (Management).

*And*

The Secretary, Thiruvepathy Mills Labour Union (INTUC) Town Mandalam Congress Office, Station Road, Cannanore, (Union).

*Representations:—*

Advocate Sri M. P. Govindan Nambiar: For *the Management.*
Advocate Sri V. V. Vijayan: For *the Union.*

## AWARD

1. This Industrial Dispute between the above parties regarding the termination of service of Sri A. C. Krishnan with effect from 17-1-1930 was referred to this Court for adjudication as per G. O. Rt: No. 904/31/LBR dated 20-7-1981. The case was taken on file and notices issued to the parties. They entered appearance.

2. On 12-11-1931, the parties filed a joint statement settling the dispute as between them as per which the claim for reinstatement was not pressed by the workman. The management agreed to give him gratuity legally due to him on 30-11-1981 and as a special case he will be paid gratuity for those years also in which he did not work for 240 days. In view of the settl ement, I pass an award holding that there is no dispute existing between the parties requiring adjudication. An award is passed accordingly.

3. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 23rd day of November 1931.

T. M. VISHNU NAMBISSAN,
*Presiding Officer,*
*Labour Court, Kozhikode.*

# GOVERNMENT OF KERALA

## Abstract

FISHERIES DEPARTMENT—FISHERIES OFFICERS SELECTED FOR STAFF TRAINING COURSE—RELIEF FROM THEIR POSTING—ORDERS ISSUED

TRANSPORT, FISHERIES AND PORTS (E) DEPARTMENT

G.O.(Rt.) 1898/81/TF&PD. *Dated, Trivandrum, 9th December,* 1981.

*Read*:—1. G.O. MS. 57/81 dated 2-7-1981.
2. G.O. Rt. 1144/81/TF&PD dated 26-9-1981.
3. Order No. A1-22810/81/(1) datcd 23-11-1981 of the Director of Fisheries
4. Letter No. A1 22810/81/(1) dated 30-11-1981 from the Director of Fisheries

ORDER

In the orders read above, the Director of Fisheries has selected the following Fisheries Officers for under going staff training Course for 10 months at the Staff Training Centre, Ernakulam from 1-12-1981.

| | *Name* | *Fisheries Villages* | *District* |
|---|---|---|---|
| 1. | Shri. K. Radhakrishnan | Kollenkode | Trivandrum |
| 2. | E. Salahudeen | Arivalam | Trivandrum |
| 3. | M. Abdul Rahiman Mather | Parayakadavu | Quilon |
| 4. | K. Ramadasan | Meentheruv | Malappuram |
| 5. | B. Gopalakrishna Pillai | Badagara (S) | Calicut |
| 6. | K. Balakrishnan Nair | Kaippakal | Calicut |
| 7. | K. Kunhiraman | Kurichiyil | Calicut |
| 8. | M. Vijayan | Edakkadu | Cannanore |

He had also directed the Controlling Officers to relive the trainees on 30-11-1981, with instructions to report for training on 1-12-1981 at the Training Centre Ernakulam. In the circumstances Government Order that the appointment of these Officers as Fisheries Officer will stand cancelled with effect from the A.N. of 30-11-1981.

By order of the Governor,
K. K. VIJAYAKUMAR,
*Deputy Secretary.*

# GOVERNMENT OF KERALA

## Health (D) Department

## NOTIFICATION

No. 51432/D2/81/HD. *Dated, Trivandrum,* 21*st November* 1981.

The following Notification No. G. S. R. 488 (E) dated the 19th August 1981 of the Government of India, Ministry of Health and Family Welfare, (Department of Health) published in the Gazette of India, Extraordinary Part II—Section 3,—subsection (i) dated the 19th August, 1981 is hereby republished for general information.

By order of the Governor,
K. SRINIVASAN,
*Secretary.*

## GOVERNMENT OF INDIA

## Ministry of Health and Family Welfare

## (Department of Health)

*New Delhi, the* 19*th August,* 1981.

## NOTIFICATION

G. S. R. 488 (E).—The following draft of certain rules further to amend the Drugs and Cosmetics Rules, 1945, which the Central Government propose to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (233 of 1940), is hereby published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of 90 days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public.

Any objections or suggestions which may be received from any person with respect to the said draft rules before the expiry of the period so specified will be taken into consideration by the Central Government.

## Draft Rules

1. These rules may be called the Drugs and Cosmetics (Amendment) Rules, 1981.

2. In the Drugs and Cosmetics Rules, 1945, in the rule 3A,—

(i) in sub-rule (1), after item (8), the following proviso shall be inserted, namely:—

"Provided that the functions of the Director in respect of Oral Polio Vaccine shall be exercised by the Deputy Director and Head of the Polio Vaccine Testing Laboratory of the said institute";

(ii) Sub-rule (4) shall be omitted;

(iii) Sub-rule (5) shall be re-numbered as sub rule (4).

(F. No. X 11013/2/81-DMS & PFA)

(Sd.)

C. V. S. Mani,

*Additional Secretary,*

## കേരള സർക്കാർ

## നിയമ (നിയമ നിർമ്മാണം-സി) വകുപ്പ്

## വിജ്ഞാപനം

നമ്പർ 9443-ലെജ്. സി13/81/ലാ. തിരുവനന്തപുരം, 1981 ആഗസ്റ്റ് 17/ 1903 ശ്രാവണം 26.

കേരള സംസ്ഥാന നിയമസഭയുടെ താഴെപ്പറയുന്ന ആക്റ്റ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു. നിയമസഭ പാസാക്കിയ പ്രകാരമുള്ള ബില്ലിന് 1981 ആഗസ്റ്റ് 17-ാം തീയതി ഗവർണ്ണറുടെ അനുമതി ലഭിച്ചു.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
സ്പെഷ്യൽ സെക്രട്ടറി (ലാ).

## 1981-ലെ 21-ാം ആക്റ്റ്

## 1981-ലെ കേരള സംസ്ഥാന ഭവന നിർമ്മാണ ബോർഡ് (ഭേദഗതി) ആക്റ്റ്

## 1971-ലെ കേരള സംസ്ഥാന ഭവന നിർമ്മാണ ബോർഡ് ആക്റ്റ് ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ആക്റ്റ്

പീഠിക.—1971-ലെ കേരള സംസ്ഥാന ഭവന നിർമ്മാണ ബോർഡ് ആക്റ്റ് ഇതിനുശേഷം കാണുന്ന ആവശ്യത്തിനായി ഭേദഗതി ചെയ്യുന്നത് യുക്തമായിരിക്കയാൽ;

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിരണ്ടാം സംവത്സരത്തിൽ താഴെ പറയും പ്രകാരം നിയമമുണ്ടാക്കുന്നു:—

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—ഈ ആക്റ്റിന് 1981-ലെ കേരള സംസ്ഥാന ഭവന നിർമ്മാണ ബോർഡ് (ഭേദഗതി) ആക്റ്റ് എന്ന് പേര് പറയാം.

(2) ഇത് 1981 മേയ് 7-ാം തീയതി പ്രാബല്യത്തിൽ വന്നതായി കരുതേണ്ടതാണ്.

2. 50-ാം വകുപ്പിന്റെ ഭേദഗതി.—1971-ലെ കേരള സംസ്ഥാന ഭവന നിർമ്മാണ ബോർഡ് ആക്റ്റ് (1971-ലെ 19) (ഇതിനുശേഷം പ്രധാന ആക്റ്റ് എന്നാണ് പരാമർശിക്കപ്പെടുക) 50-ാം വകുപ്പ് (2)-ാം ഉപവകുപ്പിൽ (എ) എന്ന ഖണ്ഡത്തിനുപകരം താഴെപ്പറയുന്ന ഖണ്ഡം ചേർക്കേണ്ടതാണ്, അതായത്:—

“(എ) പ്രസ്തുത നോട്ടീസ് ഗസറ്റിലോ പദ്ധതിയിൽപ്പെട്ട സ്ഥലം സ്ഥിതിചെയ്യുന്ന പ്രദേശത്ത് വ്യാപകമായി പ്രചാരത്തിലുള്ള ഒരു പ്രമുഖ ദിനപ്പത്രങ്ങളിലോ, ആക്ഷേപങ്ങൾ സ്വീകരിക്കുന്നതിനുള്ള കാലാവധി പ്രത്യേകം പറഞ്ഞുകൊണ്ട് പരസ്യപ്പെടുത്തേണ്ടതും.”

3. 52-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്റ്റ് 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ “ആദ്യമായി പ്രസിദ്ധീകരിച്ച” എന്ന വാക്കുകൾക്കു പകരം “പ്രസിദ്ധീകരിച്ച” എന്ന വാക്കു ചേർക്കേണ്ടതാണ്.

4. റദ്ദാക്കലും ഒഴിവാക്കലും.—1981-ലെ കേരള സംസ്ഥാന ഭവന നിർമ്മാണ ബോർഡ് ഓർഡിനൻസ് (1981-ലെ 2) ഇതിനാൽ റദ്ദാക്കിയിരിക്കുന്നു.

(2) അങ്ങനെ റദ്ദാക്കിയിരുന്നാൽത്തന്നെയും പ്രസ്തുത ഓർഡിനൻസ് വഴി ഭേദഗതി ചെയ്ത പ്രകാരമുള്ള പ്രധാന ആക്റ്റിൻകീഴിൽ ചെയ്ത ഏതെങ്കിലും സംഗതിയോ, എടുത്ത ഏതെങ്കിലും നടപടിയോ ഈ ആക്റ്റു പ്രകാരം ഭേദഗതി ചെയ്ത പ്രകാരമുള്ള പ്രധാന ആക്റ്റിൻകീഴിൽ ചെയ്തതോ എടുത്തതോ ആയി കരുതേണ്ടതാണ്.

(ശരിതർജ്ജമ)

പി. ജഗമ്മ,
അഡീഷണൽ ഹെഡ് ട്രാൻസ്ലേറ്റർ.

# GOVERNMENT OF KERALA

**Abstract**

KERALA BUILDINGS (LEASE AND RENT CONTROL) ACT, 1965 — EXEMPTION OF WAKF PROPERTIES—ORDERS ISSUED

## PUBLIC WORKS (E) DEPARTMENT

G. O. (MS) 229/81/PW. *Dated, Trivandrum, 10th December* 1981.

## NOTIFICATION

**S. R. O. No. 47/82.**—In exercise of the powers conferred by sub-section (1) of section 25 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby exempt in Public interest the buildings owned by Wakfs registered under the Wakfs Act, 1954 (Central Act 29 of 1954) with the Kerala Wakf Board from all the provisions of the said Act.

By order of the Governor,
J. S. JESUDHASAN,
*Special Secretary.*

### Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Kerala Wakf Board stands notified as a public authority for the purpose of the Kerala Buildings (Lease and Rent Control) Act, 1965 vide notifications No. 54792/B2/65/PW dated 1-1-1966. By virtue of this notification, the Wakf Board can evict its tenants from the buildings owned by it without applying the provisions of the Rent Control Act. But this procedure applies only to the buildings of which the Wakf Board is the landlord. The buildings owned by the various Wakfs registered with the Wakf Board are not covered by the above notification. The Secretary, Kerala Wakf Board has therefore requested to exempt all the buildings owned by the registered wakfs from the provisiens of the Act. Government of India also have requested to exempt all types of Wakf properties from the application of the Rent Control Act "since Wakf properties are for charitable purpose". Government have accepted the request. The notification is intended to achieve the above object.

# GOVERNMENT OF KERALA

## Revenue (N) Department

## NOTIFICATION

No. 25486/N2/81/RD. *Dated, Trivandrum, 15th October* 1981.

**S.R.O. No. 43/82** —Whereas the Government are satisfied that on account of the lands specified in the schedule below held by Indian Aluminium Company Limited, Alupuram, Kalamassery, Parur Taluk in Ernakulam District is put to a special use viz. absorption of the smoke and other effluents emanating from the factory which is injurious to health, it is necessary in the public interest to exempt those lands from the provisions of Chapter III of the Kerala Land Reforms Act, 1963 (1 of 1964);

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (3) of section 81 of the said Act, the Government hereby exempt the said lands from the provisions of Chapter III thereof, subject to the condition that the exemption shall cease to be in force if the said lands are used for any other purpose.

THE SCHEDULE

Taluk—Parur

Village—Kadungallor (Kuttikattukara)

| *Sy. No. & Sub-division No.* | *Acre* | *Extent Cent* | *Sq. links* |
|---|---|---|---|
| (1) | | (2) | |
| 5/1 | 0 | 57 | 000 |
| 5/2A | 0 | 41 | 000 |
| 5/2B | 0 | 63 | 000 |
| 5/4A2 | 0 | 08 | 900 |
| 5/4B2 | 0 | 10 | 200 |
| 9/1 | 0 | 20 | 000 |
| 9/1 | 0 | 28 | 000 |
| 9/4B | 0 | 10 | 000 |
| 9/4B2 | 0 | 35 | 000 |
| 9/2A | 0 | 13 | 000 |
| 9/2B | 0 | 14 | 000 |
| 9/2C2 (a) | 0 | 4 | 000 |
| 9/2C2 (b) | 0 | 23 | 815 |

| (1) | (2) | | |
|---|---|---|---|
| 14/5B2<br>14/5C3 | 1 | 03 | 850 |
| 14/7-6 (b) | 0 | 06 | 123 |
| 14/5A3 | 0 | 08 | 000 |
| 14/7-6 (a) | 0 | 14 | 500 |
| 14/7-6 (c) | 0 | 06 | 000 |
| 14/8-2 (c) | 0 | 14 | 500 |
| 14/7-6 (d) | 0 | 03 | 000 |
| 14/5A1 (c) | 0 | 02 | 050 |
| 14/5A1 (b) | 0 | 03 | 250 |
| 14/5A1 (d) | 0 | 07 | 300 |
| 14/5A2 (a) | 0 | 08 | 125 |
| 14/5A2 (b) | 0 | 06 | 220 |
| 14/5A2 (c) | 0 | 00. | 840 |
| 14/5A6 | 0 | 08 | 000 |
| 14/5A5 | 0 | 07 | 000 |
| 14/5A4 | 0 | 08 | 000 |
| 14/5A1 (a) | 0 | 03 | 000 |
| 14/7-6 (c) | 0 | 03 | 000 |
| 14/8-2 (a) | 0 | 10 | 000 |
| 14/8-2 (b) | 0 | 10 | 000 |
| 14/8-2 (d) | 0 | 09 | 500 |
| 18/2 | 0 | 54 | 000 |
| 18/5-2 | 0 | 75 | 425 |
| 18/4-1 | 0 | 70 | 800 |
| 18/8-4 | 0 | 10 | 500 |
| 18/8-2 | 0 | 11 | 000 |
| 18/9 | 0 | 08 | 000 |
| 18/7B1 | 0 | 22 | 500 |
| 18/7A5 & B4 | 0 | 22 | 500 |
| 18/7A4 & B3 | 0 | 21 | 000 |
| 18/7A3 | 0 | 45 | 000 |
| 18/7A1 | 0 | 16 | 525 |
| 18/7A4 | 0 | 08 | 900 |
| 18/7B3 | 0 | 12 | 470 |
| 18/7A2 | 0 | 16 | 525 |
| 18/3-4 | 0 | 17 | 000 |
| 18/3-5 (a) | 0 | 01 | 250 |
| 18/3-4 (b) | 0 | 03 | 750 |
| 18/3-3 | 0 | 05 | 000 |
| 18/3-5 (c) | 0 | 10 | 000 |
| 18/8-3 | 0 | 10 | 500 |
| 18/8-1 | 0 | 21 | 000 |
| 18/3-5 (b) | 0 | 34 | 890 |
| 19/6A1 (a) | 0 | 57 | 500 |

| (1) | (2) | | |
|---|---|---|---|
| 19/5 | 0 | 39 | 000 |
| 19/6A2 | 0 | 27 | 500 |
| 19/6A5 | 0 | 09 | 750 |
| 19/6A4 | 0 | 20 | 100 |
| 19/6A1 (g) | 0 | 01 | 750 |
| 19/7 (a) | 0 | 08 | 500 |
| 19/7 (b) | 0 | 01 | 500 |
| 19/6A6 | 0 | 04 | 500 |
| 19/6A3 | 0 | 23 | 000 |
| 19/6A1 (b) | 0 | 41 | 500 |
| 19/4A2 | 0 | 21 | 350 |
| 19/4A1 (c) | 0 | 18 | 500 |
| 19/4A1 (a) | 0 | 10 | 000 |
| 19/4A1 (b) | 0 | 10 | 000 |
| 19/7 (c) | 0 | 07 | 000 |
| 19/3A1 / 19/3A2 / 19/3B1 / 19/3B3 | 0 | 69 | 544 |
| 19/1A / 19/1B | 0 | 48 | 000 |
| 19/2A | 0 | 88 | 000 |
| 19/2B | 0 | 99 | 000 |
| 19/2C | 0 | 26 | 000 |
| 19/2D | 0 | 25 | 000 |
| 19/6A1 (d) | 0 | 00 | 500 |
| 19/6C | 0 | 07 | 000 |
| 10/6D (a) | 0 | 13 | 000 |
| 19/6A1 (f) / 19/6D (c) | 0 | 18 | 890 |
| 19/6A (c) | 0 | 14 | 000 |
| 19/6B (b) | 0 | 06 | 000 |
| 19/6A1 (c) | 0 | 48 | 000 |
| 19/6B (a) | 0 | 07 | 000 |
| 19/4A1 (c) / 19/4A4 | 0 | 76 | 000 |
| 19/4A1 (d) / 19/4B (a) | 0 | 50 | 000 |
| 19/6D (b) | 0 | 12 | 000 |
| 19/6E | 0 | 65 | 000 |
| 19/4B (b) | 0 | 65 | 717 |
| 22/11 B4 | 0 | 25 | 225 |
| 22/9 B1 | 0 | 42 | 000 |
| 22/11 A | 0 | 03 | 000 |

| (1) | (2) | | |
|---|---|---|---|
| 22/11 B3 | 0 | 01 | 045 |
| 22/11 B6 | 0 | 25 | 300 |
| 22/9 A | 0 | 12 | 000 |
| 22/9 B3 (b) | 0 | 12 | 000 |
| 22/9 B3 (4) | 0 | 16 | 000 |
| 22/9 B 10 | 0 | 10 | 520 |
| 22/9 B 8 | 0 | 20 | 075 |
| 22/9 B9 | 0 | 15 | 000 |
| 22/3 A | 0 | 30 | 000 |
| 22/3 B2 | 0 | 37 | 000 |
| 22/3 C3 | 0 | 13 | 000 |
| 22/9 B3 (1) | 0 | 01 | 000 |
| 22/9 B3 (3) | 0 | 22 | 000 |
| 22/9 B2 | 0 | 08 | 000 |
| 22/9 B7 | 0 | 10 | 000 |
| 22/5 A1 part | 0 | 17 | 000 |
| 22/5A1, 5A2, B1 | 0 | 34 | 000 |
| 22/1-2 }<br>22/1-3 } | 0 | 46 | 470 |
| 22/1-4 | 0 | 49 | 000 |
| 22/1-7 | 0 | 31 | 550 |
| 22/5 B2 | 0 | 24 | 000 |
| 22/3 B1 | 0 | 01 | 000 |
| 22/3 C2 | 0 | 17 | 000 |
| 22/8-1 | 0 | 15 | 000 |
| 22/7-6 | 0 | 22 | 000 |
| 22/6 | 0 | 59 | 000 |
| 22/10-2 | 0 | 07 | 000 |
| 22/7-4 | 0 | 23 | 000 |
| 22/7-3 | 0 | 46 | 000 |
| 22/7-5A | 0 | 21 | 000 |
| 22/7-5B | 0 | 10 | 000 |
| 22/8-4 (b) | 0 | 07 | 000 |
| 22/10-1 | 0 | 20 | 000 |
| 22/8-4 (a) | 0 | 05 | 000 |
| 22/8-3 | 0 | 18 | 000 |
| 22/7-2 | 0 | 23 | 000 |
| 22/8-2 | 0 | 38 | 000 |
| 22/7-1 | 0 | 23 | 000 |
| 22/10-3 | 0 | 10 | 000 |
| 22/9 B5 | 0 | 29 | 000 |
| 22/11 B5 | 0 | 25 | 000 |
| 22/12-2 (a) | 0 | 02 | 000 |
| 22/12-7 (a) | 0 | 03 | 000 |
| 22/12-7 (b) | 0 | 17 | 000 |
| 22/12-2 (c) | 0 | 05 | 000 |
| 22/12-2 (d) | 0 | 14 | 750 |

| (1) | (2) | | |
|---|---|---|---|
| 22/12-3 | 0 | 10 | 000 |
| 22/12-4 | 0 | 10 | 000 |
| 22/12-1 | 0 | 08 | 275 |
| 22/12-10 | 0 | 15 | 625 |
| 22/12-8 | 0 | 20 | 000 |
| 22,11,B2 | 0 | 10 | 000 |
| 22/12-5 | 0 | 20 | 000 |
| 22/12-2 (b) | 0 | 28 | 272 |
| 22/11 B1 | 0 | 47 | 500 |
| 22/9 B4 | 0 | 40 | 370 |
| 22/9 B6 | | | |
| 22/3 C1 | 0 | 78 | 000 |
| 22/3 C1 | 0 | 18 | 000 |
| 22/4 | 0 | 76 | 000 |
| 4/2-1 | 0 | 04 | 000 |
| 4/2-2 | 0 | 84 | 000 |
| 8/3-1 | 0 | 43 | 000 |
| 8/3-2 | 0 | 26 | 000 |
| 8/5-B | 0 | 18 | 000 |
| 8/6 | 0 | 43 | 000 |
| 8/1B-11A | 0 | 20 | 750 |
| 8/1B-18 | 0 | 61 | 000 |
| Total | 37 | 01 | 536 |

By order of the Governor,
K. Ranganathan,
*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate the general purport).

Indian Aluminium Company Limited, Alupuram, Kalamassery applied for exemption of an extent of 37.01.536 acres of land held by the Company in Parur Taluk, Ernakulam District specified in the schedule from the ceiling provisions of the Kerala Land Reforms Act, 1963 as the lands are injuriously affected by smoke, fumes and other effluents emanating from the factory. From the enquiry made in the matter, Government are satisfied that the lands mentioned in the Schedule above is put to a special use viz. absorption of the smoke and other effluents emanating from the factory which is injurious to health. Government are therefore pleased to exempt under section 81 (3) (a) of the Kerala Land Reforms Act, 1963, the said lands from the provision of Chapter III of the said Act, subject to the condition specified in the notification. The notification is intended to achieve the above object.

## GOVERNMENT OF KERALA

### Transport, Fisheries and Ports (Transport-C) Department

### NOTIFICATION

No. 31231/TC2/81/TF&P. *Dated, Trivandrum, 7th December* 1981.

**S. R. O. No. 44/82.**—Whereas representation has been received by Government from the Stage Carriage Operator Shri K. Bhaskaran Nair, Parijatha House, Chettikulangara, Mavelikara that the vehicle tax for the quarter ended on the 30th September, 1981 in respect of the Stage Carriage bearing Registration No. KLQ. 4541 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted.

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government, consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1981 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1981 in respect of the said stage carriage ordinarily kept for use in the State shall be paid within one and a half months from 30th September 1981 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. Sankaran Nair,

*Additional Secretary.*

## Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received a representations from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th September, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise this vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Kerala Gazette No. 2 dated 12th January 1982.
**PART I** **Section iv**

# GOVERNMENT OF KERALA

**Abstract**

KERALA PUBLIC SERVICE COMMISSION (COMPOSITION AND CONDITIONS OF SERVICE OF MEMBERS AND STAFF) REGULATIONS, 1957—AMENDMENT—ISSUED

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

**G. O. MS.No. 408/81/GAD Dated, Trivandrum, 5th December, 1981.**

## NOTIFICATION

**S.R.O. No. 45/82.**—In exercise of the powers conferred by article 318 of the Constitution of India, the Governor of Kerala hereby makes the following Relations further to amend the Kerala Public Services Commission (Composition and Conditions of Service of Members and Staff) Regulations 1957, namely:—

### REGULATIONS

1. These Regulations may be called the Kerala Public Service Commission (Composition and Conditions of Service of Members and Staff) Amendment Regulations, 1981).

2. Amendment of the Regulations:—After Regulation 7A, the following Regulation shall be inserted, namely:—

"7B. A member of an All India Service who was appointed as Chairman or other member of the Commission prior to the 30th September, 1975, shall, with effect from the 1st January, 1973 or the date of his retirement, whichever is later, be entitled to such adhoc relief and relief against rise in the cost of living index at such scale and in such manner as may be prescribed by the Central Government from time to time for officers of the Central Services, Class I."

By order of the Governor,
S. ANANTAKRISHNAN,
*Chief Secretary.*

G. 2007 [P. T. O.

## Explanatory Note

(This note is not part of the Notification, but is intended to indicate its general purport).

Under Notification No. 33/20/75-AIS dated 31st May, 1975 issued by the Government of India Officer of the All India Service who retired on or before or after 1st January, 1973 were declared eligible for relief against rise in the cost of living index at such rates and in such manner as may be prescribed by the Central Government from time to time for officers of the Central Service, Class I. Government have decided to amend the K.P.S.C. (Composition and Conditions of Service of Members and Staff) Regulations, 1957 for making the members of the All India Services appointed as Chairman or member of the K.P.S.C. prior to 30th September 1975 and have retired on or after or before 1st January, 1973 eligible for the above relief. The notification is intended to achieve this object.

To

All Heads of Departments and Offices
All Departments (all Sections) of the Secretariat
The Secretary, Kerala Public Service Commission (with C.L.)
The Registrar, High Court of Kerala, Ernakulam (with C.L.)
The Registrars, University of Kerala/Calicut/Cochin (with C.L.)
The Registrar, Kerala Agricultural University, Trichur (with C.L.)
The Secretary to Governor

GOVERNMENT OF KERALA

**Abstract**

ISSUE OF DUPLICATE PENSION PAYMENT ORDER—AMENDMENT TO INSTRUCTION UNDER NOTE 2 OF RULE 293 OF KERALA TREASURY CODE VOLUME I—ORDERS ISSUED.

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FINANCE (S. L.) DEPARTMENT

**G. O. (P) 833/81/Fin.** **Dated, Trivandrum, 11th December, 1981.**

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*Read:* 1. U. O. Note No. 16556/B1/80-1/P&ARD dated 5-11-80 from the Personnel and Administrative Reforms Department,

2. Letter No. E1. 11416/81 dated 19-8-1981 from the Director of Treasuries, Trivandrum.

NOTIFICATION

**S.R.O. No. 46/82**. In exercise of the powers conferred by clause (2) of article 283 of the Constitution of India, the Governor of Kerala hereby makes the following rules further to amend the Kerala Treasury Rules, namely:—

**Rules**

C.S. No. 19/81/Fin. *Dated, Trivandrum, 11th December* 1981.

1. (i) These Rules may be called the Kerala Treasury (Amendment) Rules, 1981.

(ii) They shall come into force at once.

2. In the Kerala Treasury rules, in sub rule (a) of rule 293, for Instruction 1, the following shall be substituted, namely:—

"*Instruction.* 1.—If a pensioner alleges, loss of his half of the pension payment order, he should make an application with the prescribed fee of Rs. 2 to the officer-in-charge of the District/Sub Treasury from which he is receiving his pension, for a duplicate copy thereof. The Sub Treasury Officer will

then forward the application received by him to the District Treasury Officer along with the Treasury half of the Pension Payment Order after duly furnishing his remarks on the application. The District Treasury Officer will then conduct such further enquiries as are deemed necessary on such applications and thereafter, issue a duplicate of the pensioners half, prominently marked 'Duplicate' in red ink."

By order of the Governor,
P. NAMASIVAYAM,
*Additional Secretary.*

**Explanatory Note**

(This note is not part of the amendment, but is intended to indicate its general purport).

At present when a Pension Payment Order available with the pensioner is lost, the District Treasury Officer can issue a duplicate Pension Payment Order only after publishing a Notification in the Government Gazette calling for objections if any. In fact no real purpose is served by calling for objection from others for the issue of a duplicate P.P.O. in lieu of a lost one. Hence the amendment.

To

The Accountant General, Kerala, Trivandrum
All Heads of Departments and Offices
All Departments and Sections of the Secretariat
The Registrar, High Court, Ernakulam (with C.L.)
The Registrars, University of Kerala/Cochin/Calicut (with C.L.)
The Registrar, Agricultural University, Mannuthy, Trichur (with C.L.)
The Advocate General, Ernakulam (with C.L.)
The General Manager, Kerala State Road Transport Corporation, Trivandrum (with C.L.)
The Secretary, Kerala Public Service Commission (with C.L.)
The Secretary, Vigilance Commission (with C.L.)
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government.
The Secretary, Kerala State Electricity Board, Trivandrum
The Private Secretaries to the Chief Minister and other Ministers
The Secretary to the Governor
The Under Secretary to the Chief Secretary

# GOVERNMENT OF KERALA

## Labour (A) Department

## NOTIFICATION

**G. O.** Ms. No. 99/81/LBR. *Dated, Trivandrum,* 17*th November* 1981.

**S. R. O. No. 42/82.**—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Kerala hereby make the following amendment to the notification II No. 862/78/L&H dated the 22nd May, 1978, published as S.R.O. No. 615/78 in Part I of the Kerala Gazette No. 27 dated the 4th July, 1978, namely :—

AMENDMENT

In the schedule to the said Notification, Serial No. 1 and the entries relating thereto shall be omitted.

By order of the Governor,
C. P. NAIR,
*Special Secretary.*

### Explanatory Note

(This does not form part of the notification, but is intended to indicat its general purport).

As per G. O. Ms. 89/78/L & H dated 18-7-1978, the post ( Deputy Labour Officer, attached to the Office of the District Labo Officer, Thodupuzha had been shifted to Nedumkandam. In G. C Ms. 21/81/LBR dated 17-2-1981, the Deputy Labour Officer, Nedur kandam was notified as Conciliation Officer, under section 4 of t Industrial Disputes Act. As the post of Deputy Labour Officer, Offi of the District Labour Officer, Thodupuzha is no longer in existen it is necessary to amend the notification II No. G. O. Rt. 862/78/L& dated 22nd May 1978 omitting serial No. 1 of the schedule to t notification. The above notification is intended to achieve this purpo

Kerala Gazette No. 2 dated 12th January 1982.
**PART I**

## GOVERNMENT OF KERALA

### Abstract

HIGHER EDUCATION—EDUCATIONAL CONCESSIONS TO THE CHILDREN OF POLITICAL SUFFERERS—ENHANCEMENT OF INCOME LIMIT—ORDERS ISSUED

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HIGHER EDUCATION (C) DEPARTMENT

G. O. (Ms) No. 209/81/H. Edn. *Dated, Trivandrum, 11th December* 1981.

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*Read*:—1. G.O. (Ms) No. 88/66/Edn. dated 24-2-1966.
2. Letter No. C4/2217/77 dated 18-1-1977 from the Director of Technical Education, Trivandrum.

ORDER

In the G. O. read as first paper above as subsequently amended Government have approved a revised scheme for the grant of Educational concessions to the children of political sufferers. As per this scheme children of political sufferers whose annual family income is below Rs. 3,600 are exempt from payment of tuition fees for their studies.

Government are now pleased to order that the income limit of Rs. 3,600 p. a. will be enhanced to Rs. 6,000 per annum. The enhanced income limit will come into force from the academic year 1982-83.

By order of the Governor,
C. J. JOSEPH,
*Deputy Secretary.*

To

The Director of Collegiate Education, Trivandrum
The Director of Technical Education, Trivandrum.
All District Collectors
The General Administration (FFP) Department
The Registrar, University of Kerala/Calicut/Cochin.
The Accountant General, Kerala, Trivandrum.
The Principals, Law College, Trivandrum/Ernakulam/Calicut.
The Director of Public Relation, Trivandrum.
The Finance Department. (Orders taken in circulation to the Governor),
The Principals, Medical College, Trivandrum, Alleppey, Kottayam, Calicut.
The Health Department.
The Registrar of Co-operative Societies.

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G. 2041.

# GOVERNMENT OF KERALA

## Home (SSB) Department

## NOTIFICATION

G. O. (MS.) No. 170/81/Home. *Dated, Trivandrum,* 28*th December* 1981.

**S. R. O. No. 49/82.**—Whereas the place specified in the Schedule below is of vital importance to the country;

And whereas information with respect thereto or the destruction or obstruction thereof or interference therewith would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of Section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923) read with the Notification S. O. No. 1285 dated the 4th May, 1963 of the Ministry of Home Affairs, Government of India, the Government of Kerala hereby declare the place specified in the schedule to be "prohibited place" for the purpose of the said Act, and direct that a copy of this Notification in English and Malayalam versions be affixed to the said place.

### Schedule

Name of Installation—The premises of the establishement of Indian Rare Earths Ltd., Rare Earths Division including all the buildings and installations thereon, excluding Quarters and Play grounds.

Name of place — Udyogamandal
Police Station — Eloor
Taluk — Parur
District — Ernakulam

Boundaries or other description of the area:

East — Periyar River
South — Fertilizers and Chemicals Travancore Ltd., (F.A.C.T.)
West — Eloor--Methanam Ferry Road
North — Company Quarters

## Explanatory Note

(This does not form part of the Notification but is intended to give its general purport.)

It is considered necessary that the place mentioned in the Schedule should be declared as 'prohibited place' under the Indian Official Secrets Act, 1923 since the installations are of national importance. The above notification is intended to achieve this object.

എസ്. ആർ. ഒ. നമ്പർ 49/82.—താഴെ പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിരിക്കുന്ന സ്ഥലം രാജ്യത്തിന് മർമ്മപ്രധാനമായതിനാലും ;

അതു സംബന്ധമായ വിവരമോ അഥവാ അതു നശിപ്പിക്കുന്നതോ അതിനു പ്രതിബന്ധം സൃഷ്ടിക്കുന്നതോ അഥവാ അതിൽ ഇടപെടുന്നതോ ഒരു ശത്രുവിന് ഉപയോഗപ്രദമായിരിക്കുമെന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ ഭാരതസർക്കാർ ആഭ്യന്തര മന്ത്രി കാര്യാലയത്തിന്റെ 1963 മെയ് 4-ാം തീയതിയിലെ എസ്. ഒ. 1285-ാം നമ്പർ വിജ്ഞാപനത്തോടുകൂടിചേർത്തുവായിച്ചപ്രകാരമുള്ള 1923-ലെ ഇൻഡ്യാ ഔദ്യോഗിക രഹസ്യ ആക്റ്റ് (1923-ലെ 19-ാം കേന്ദ്ര ആക്റ്റ്), 2-ാം വകുപ്പ് (8)-ാം ഖണ്ഡം (ഡി) എന്ന ഉപഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള സർക്കാർ, പ്രസ്തുത ആക്റ്റിന്റെ ആവശ്യത്തിലേക്കായി പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം ''നിരോധിതപ്രദേശമായി'' ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ഈ വിജ്ഞാപനത്തിന്റെ ഇംഗ്ലീഷിലും മലയാളത്തിലുമുള്ള ഒരു പകർപ്പ്, പ്രസ്തുത സ്ഥലത്തു പതിക്കുന്നതിന് നിർദ്ദേശം നൽകുകയും ചെയ്യുന്നു.

## പട്ടിക

ഇൻസ്റ്റലേഷന്റെ പേര്—ഇൻഡ്യൻ റെയർ എർത്ത്സ് ലിമിറ്റഡ് സ്ഥാപിച്ചിട്ടുള്ള പരിസരങ്ങൾ, ക്വാർട്ടേഴ്സും കളിസ്ഥലവും ഒഴികെയുള്ള എല്ലാ കെട്ടിടങ്ങളും ഇൻസ്റ്റലേഷനുകളും ഉൾപ്പെടെയുള്ള റെയർ എർത്ത്സ് ഡിവിഷൻ.

സ്ഥലത്തിന്റെ പേര്—ഉദ്യോഗമണ്ഡൽ

പോലീസ് സ്റ്റേഷൻ—ഏലൂർ

താലൂക്ക്—പറവൂർ

ജില്ല—എറണാകുളം

സ്ഥലത്തിന്റെ അതിരുകൾ അഥവാ മററു വിവരണം—

കിഴക്ക്—പെരിയാർ നദി

തെക്ക്—ഫെർട്ടിലൈസേഴ്സ് ആന്റ് കെമിക്കൽസ് ട്രാവൻകൂർ ലിമിറ്റഡ് (ഫാക്ട്)

പടിഞ്ഞാറ്—ഏലൂർ-മേത്താനം ഫെറി റോഡ്

വടക്ക്—കമ്പനി ക്വാർട്ടേഴ്സ്

## വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം ദേശിയ പ്രാധാന്യമുള്ളതാകയാൽ ആ സ്ഥലത്തെ ഇൻഡ്യാ ഔദ്യോഗിക രഹസ്യ ആക്റ്റിൻകീഴിൽ "നിരോധിത പ്രദേശമായി" പ്രഖ്യാപിക്കേണ്ടത് ആവശ്യമാണെന്നു കാണുന്നു. മുകളിൽ പറഞ്ഞിട്ടുള്ള വിജ്ഞാപനം ഈ ഉദ്ദേശം സാധിക്കുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.

By order of the Governor,
K. V. VIDYADHARAN,
*Special Secretary.*

GOVERNMENT OF KERALA

**Revenue (B) Department**

NOTIFICATION

No. 76794/B1/81/RD. *Dated, Trivandrum, 3rd December* 1981.

**S. R. O. No. 50/82.**—In exercise of the powers conferred by clause (3) of section 2 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby appoint the Special Tahsildar (Land Acquisition) No. IV, Moovattupuzha Valley Irrigation Project, Koothattukulam, to perform the functions of a Collector under the said Act, within Kothamangalam Taluk in Ernakulam District, Meenachil, Vaikom and Kottayam Taluks in Kottayam District and Thodupuzha Taluk in Idukki District in addition to his appointment to perform the functions of a Collector in the Moovattupuzha Taluk in Ernakulam District made by Notification No. 58955/B1/81/RD dated the 22nd September, 1981 published as S. R. O. No. 1291/81 in the Kerala Gazette No. 45 dated the 10th November, 1981.

By order of the Governor,

LIZZIE JACOB,

*Additional Secretary.*

**Explanatory Note**

(This is not part of the notification, but is intended to classify its general purport).

As per G. O. RT. No. 291/81/I & R dated 12-6-1981. Government had accorded sanction for the creation of a new L A. Unit at Koothattukulam for attending to land acquisition in connection with Moovattupuzha Valley Irrigation Project. Certain posts were also created including one post of Special Tahsildar. In order to enable them to initiate Land Acquisition Proceedings the Special Tahsildars has to be appointed as Special Thsildar (Land Acquisition) to perform the functions of Collector under the Kerala Land Acquisition Act. This notification is meant to achieve the above purpose.

## കേരള സർക്കാർ

## കൃഷി (ചെറുകിട—ജലസേചനം) വകുപ്പ്

### പിൻവാങ്ങൽ പരസ്യം

നമ്പർ 74825/എം. ഐ5/81/എ. ഡി. തിരുവനന്തപുരം, 1981 ഡിസംബർ 4.

എസ്. ആർ. ഒ. 51/81.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരം കേരള സർക്കാർ ഇതോടു ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1976 ജൂലൈ 13-ാം തീയതിയിലെ കേരള ഗസററിൽ III-ാം ഭാഗത്ത് 2038, 2039, 2040 പേജുകളിൽ പ്രസിദ്ധപ്പെടുത്തിയ പ്രസ്തുത ആക്റ്റ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരമുള്ള 1976 ജൂൺ 11-ാം തീയതിയിലെ എ 1115/75 എന്ന നമ്പർ പരസ്യം പുറപ്പെടുവിച്ചുകൊണ്ട് മലപ്പുറം ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ സ്ഥലമെടുപ്പു നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതും, റവന്യൂ ബോർഡിന്റെ 1978 ജൂൺ 17-ാം തീയതിയിലെ കെ. ഡിസ്. 24029/78 എൽ. ആർ. സി 4 എന്ന നമ്പർ ഉത്തരവു പ്രകാരം 1978 ജൂൺ 4-ാം തീയതിയിലെ കേരള ഗസററിൽ III-ാം ഭാഗത്ത് 1873-ാം പേജിൽ പ്രസിദ്ധപ്പെടുത്തിയ പ്രസ്തുത ആക്റ്റ് 6-ാം വകുപ്പു പ്രകാരമുള്ള പ്രഖ്യാപനം പുറപ്പെടുവിച്ചിട്ടുള്ളതുമായ താഴെ പറയുന്ന സ്ഥലങ്ങൾ വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

### പട്ടിക

ജില്ല—മലപ്പുറം
വില്ലേജ്—വാഴക്കാട്

താലൂക്ക്—ഏറനാട്
അംശം—ചെറുവായൂർ

| ക്രമ നമ്പർ | റി. സ. നമ്പർ | വിവരണം | വിസ്തീർണ്ണം (ഹെക്റററിൽ) |
|---|---|---|---|
| 1 | 323/2 | ഒരുപ്പൂനിലം | 0.0162 |
| 2 | 323/3 | ടി | 0.0243 |
| | | ആകെ | 0.0405 |

ഗവർണ്ണറുടെ ഉത്തരവു പ്രകാരം,

കെ. എൽ. എൻ. റാവു,
സ്പെഷ്യൽ സെക്രട്ടറി,

### വിശദീകരണക്കുറിപ്പ്

(ഇതു പരസ്യത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശത്തെ ലക്ഷ്യമാക്കിയിട്ടുള്ളതാണ്.)

വിജ്ഞാപനത്തിന്റെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതായ ഭൂമി വാഴക്കാട്ട് ലിഫ്റ്റ് ഇറിഗേഷൻ സ്കീം എട്ടാം ബ്ലോക്കിന് ഭൂമി പൊന്നും വിലയ്ക്കെടുക്കുന്നതിന് ഉദ്ദേശിച്ചിട്ടുള്ളതായിരുന്നു. എന്നാൽ മേൽപ്പടി ഭൂമി കനാലിന്റെ ഗതി പിന്നീട് മാററിയതിനാൽ പൊന്നുംവിലയ്ക്കെടുക്കേണ്ട ആവശ്യമില്ലായെന്നു കണ്ടു. ആയതു കൊണ്ട് ഈ പരസ്യം പുറപ്പെടുവിക്കുന്നതാകുന്നു.

## GOVERNMENT OF KERALA

### Home (C) Department

### NOTIFICATION

G. O. (Ms) 160/81/Home. *Dated, Trivandrum, 7th December* 1981.

**S. R. O. No. 52/82.**—In exercise of the powers conferred by Article 233 (1) of the Constitution of India, the Governor of Kerala is pleased to appoint the following persons as District and Sessions Judges.

1. Sri V. K. Bhaskaran
2. Sri P. R. Balachandran
3. Sri T. V. Kunhammed
4. Sri V. P. Yohannan

By order of the Governor,
K. V. VIDYADHARAN,
*Special Secretary.*

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GOVERNMENT OF KERALA

**Home (C) Department**

NOTIFICATION

G.O. (Ms) 157/81/Home. *Dated, Trivandrum, 4th December* 1981.

**S. R. O. No. 53/82.**—In exercise of the powers conferred by Article 233 (1) of the Constitution of India, the Governor of Kerala is pleased to appoint Sri A. R. Vijayan, Principal Sub Judge, Alleppey as District and Sessions, Judge.

By order of the Governor,
K. V. VIDYADHARAN,
*Special Secretary.*

G. 1975.